## REMARKS

Claims 1, 5, 6 and 7 have been amended.

The Examiner has rejected applicant's claims 1-7 under 35 U.S.C. 102(b) as being anticipated by the Tetsuya (JP 11-096118) patent application publication. With respect to applicant's claims, as amended, this rejection is respectfully traversed.

Applicant's independent claims 1 and 5-7 have been amended to better define applicant's invention. More particularly, applicant's amended independent claim 1 now recites a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus including a decision unit for deciding whether the data processing apparatus is to effect a charge process for a first process by the data processing apparatus and for a second process by another data processing apparatus in accordance with the recognition by the recognition unit, and a control unit for controlling execution of the charge process in accordance with the decision by the decision unit. Applicant's independent method 6 claim has been similarly amended.

Applicant's amended independent claim 5 recites a data processing apparatus including an information portion for informing the another data processing apparatus of charge function information of the data processing apparatus, so that double charge for the predetermined process by the data processing apparatus and another data processing apparatus is prevented, and a charge portion for executing a charge process for a first process by the data processing apparatus and for a second process by the another data processing apparatus in order to execute the predetermined process after the informing by the information portion. Method claim 7 has been similarly amended.

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Such constructions are not taught or suggested by the cited art of record. More particularly, the Examiner has again cited the Abstract, Sections [0003]-[0005], [0029]-[0030] and [0036] and FIG. 1, units 21, 28, 30 and 31 as disclosing the elements recited in applicant's independent claims 1, 5, 6 and 7.

Applicant has carefully reviewed the portions of the Tetsuya publication cited by the Examiner, and believes that the Tetsuya publication is <u>completely silent</u> as to a data processing apparatus <u>deciding whether the data processing apparatus is to effect a charge process for a first process by the data processing apparatus and for a second process by another data processing apparatus</u>, as recited in applicant's amended claims 1 and 6. Moreover, there is nothing taught or suggested in the Tetsuya publication of a data processing apparatus <u>informing another data processing apparatus of the charge function information of the data processing apparatus so that double charge for the predetermined process by the data processing apparatus and the another data processing apparatus is prevented and executing a charge process for a first process by the data processing apparatus and for a second process by the another data processing apparatus</u>, as recited in applicant's amended claims 5 and 7.

Specifically, the Abstract of the Tetsuya publication discloses only a user authentication process of the system and does not mention the charging process performed by the system. Sections [0003]-[0004] of the Tetsuya publication cited by the Examiner disclose that the user device may include multiple output devices ("output machinery") and that in prior systems <u>charge information for each output device</u> had to be separately provided "because charge information [of] the whole machinery which a user employs cannot be grasped easily." Sections [0005] and [0029]-[0030] of the Tetsuya publication teach that the system of the invention can manage charge processing for each user employing an image processing unit on a

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network [0005] and that the charge information for each image processing unit is held in an auxiliary memory of a server device which manages such charge information [0029-0030]. Section [0036] of the Tetsuya publication discloses that the charge information for each user can be updated.

Thus, the Tetsuya publication discloses that previous systems managed charge information for each output device used by a user and that the system of the Tetsuya publication is capable of managing charge information for each user or image processing unit, even when the user employs a plurality of output devices. Particularly, in the Tetsuya publication, the server device manages the charge processing for the operation of all output devices used by the image processing unit of the user. There is no decision making by the server device or by the image processing unit as to whether the server device or the image processing unit is to perform the charge processing function for the operations of both the server device and the image processing unit. Neither does the Tetsuya publication disclose decision making by any of the output devices used by the image processing unit as to whether the output device or the server device is to perform the charge processing function for the operations of both devices. Moreover, since the charge processing in the Tetsuya publication is managed only by the server device, the server device does not inform the any other device (e.g., image processing unit or the output device) of its charge function in order to avoid a double charge for a process that is performed by both the server device and the other device.

Accordingly, the Tetsuya publication does not teach or suggest deciding whether a first data processing apparatus is to effect a charge process for a first process by the first data processing apparatus and for a second process by a second processing apparatus. Nor does the Tetsuya publication teach or suggest the first data processing apparatus informing the second

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data processing apparatus of a charge function of the first data processing apparatus so that

double charge for the process by the first and second data processing apparatuses is prevented

and executing a charge process for a first process by the first said data processing apparatus and

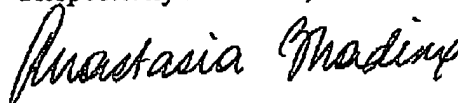for a second process by the second data processing apparatus.

Applicant's amended independent claims 1 and 5-7, all of which recite one or more of

such features, and their respective dependent claims, thus patentably distinguish over the

Tetsuya reference.

In view of the above, it is submitted that applicant's claims, as amended, patentably

distinguish over the cited art of record.  Accordingly, reconsideration of the claims is

respectfully requested.

If the Examiner believes that an interview would expedite consideration of this

Amendment or of the application, a request is made that the Examiner telephone applicant's

counsel at (212) 790-9200.

Dated: January 12, 2005                              Respectfully submitted,

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